

Grimshaw v. ford motor company case brief

[Business](#), [Company](#)



Grimshaw vs Ford motor company

Statement of Facts: In 1972 Mrs. Lilly Gray was driving a Ford Pinto, with 13-year old passenger Robert Grimshaw, when it unexpectedly stalled in the middle of the highway. Mrs. Gray's Pinto was struck from behind by another vehicle. The other vehicle's impact caused the gas tank to puncture and rupture, spilling gas throughout the cabin of the vehicle. Once gas had spilled throughout the vehicle it caught fire, and burned Mrs. Gray to death, while Robert Grimshaw survived with severe burns to his face and body.

Both Grimshaw and Gray's family sued Ford Motor Company on the grounds of negligence and strict liability for the car bursting into flames when it was struck from behind. After a 6-month trial, the court ruled in favor of the plaintiffs, awarding the Gray's almost \$600K in compensatory damages and awarding Robert Grimshaw \$2.5M in compensatory damages and \$125M in punitive damages. Ford Motor Company appealed this verdict because of the amount awarded in punitive damages. Grimshaw appealed the order granting Ford's request for a new trial with the amended judgment of punitive damages.

The Grays cross-appealed trying to seek punitive damages, which was denied. The trial court ended up amending their punitive damages award to only \$3.5M, which was a more just and reasonable award, according to the courts, for the plaintiff. The judgment of the Trial Court was affirmed by the Appellate Court. 2. Legal Issue Statement: The legal issue involving this case was: " Was it legal to hold Ford Motor Company legally liable on the grounds

of negligence and strict liability in this case involving a design defect in the Ford Pinto's gas tank?

" 3. Applicable Legal Rules: The laws that apply to this case are negligence and strict liability. In order for someone to be prosecuted for negligence 3 elements must apply. They are duty, causality, and breach or injury. In the case of Grimshaw v. Ford Motor Company, Ford had a duty to Mrs. Gray when she purchased the Pinto from them. Ford also had a duty to exercise reasonable care in the sale of their Pinto. Ford also had a duty to advise Mrs. Gray, among all other customers, of any known hazards associated with the Pinto.

And finally, there had to be causality between the Pinto's defect and Ford's conduct and the injury that was caused to Mrs. Gray and Robert Grimshaw. In order to be prosecuted for strict, all that is required to prove a case of strict liability is that the product or action of the seller caused damage or injury, and the amount of the damage or size of the injury must also be established. 1 Both strict liability and negligence applied to the case of Grimshaw v. Ford Motor Company as explained in the observations. 4.

Observations: As stated above, there are three elements in negligence law which must all be present; duty, causality, and breach/injury. Ford violated all three of these elements. Ford had a duty to Mrs. Gray to exercise reasonable care with the sale of the Pinto. Ford did not do this by hiding known internal Ford information that the gas tank design was defective and was proven during rear crash tests conducted. Ford also had a duty to warn or advise their customers of any known risks or hazards associated with the Pinto.

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Ford was also in violation of this element because they purposely chose to hide this information from the public when their engineering department warned of the potential hazards and injuries this could cause. There was also a link of causality between Fords' Pinto's gas tank defect, the sellers conduct and the injuries sustained by Robert Grimshaw and the death of Lilly Gray. Ford's negligence because of the defective gas tank design caused the severe burns to Grimshaw and Gray's death.

These injuries were reasonable foreseeable since Ford knew of the defect all along and chose to hide the findings and not make any modifications to the design. Ford was also found to be grossly negligent so Grimshaw was awarded punitive damages for his injuries. Ford was found to be so grossly negligent that Grimshaw was originally awarded \$125M in punitive damages until the court amended the punitive damages to \$3. 5M, which was more reasonable and not in excess. Ford was also found to be held strictly liable in this case since their product and lack of action caused injury to the plaintiff.

Ford was held strictly liable since the Pinto had a defective design and was unreasonably dangerous. Since Ford knew their Pinto had a defect in the design they should have taken action to correct the problem or at least notified the buyers of the defect and potential problems through warnings or disclaimers. Ford failed to do any of these things so they were found to be strictly liable for the death of Gray and the injuries suffered by Grimshaw. 5.

Legal Conclusion: I think the court made the correct ruling in this case. Ford proved to be both negligent and strictly liable in the case of Grimshaw v.

Ford Motor Company. Ford breached every element of the negligence law from their duty to the customer, causality linking them to the plaintiffs

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injuries, and injury to their customers, to breaching every principle of strict liability since they knowingly sold a product that was unreasonably dangerous and the jury found that Ford's actions and their design defect's of the Pinto caused the death and injuries to Mrs. Gray and Robert Grimshaw. I think that the judgment affirming the trial courts award of compensatory and punitive damages was fair and just for both Robert Grimshaw and the Gray's.

The court held that these awards were reasonable and just, and was not excessive in light of its deterrent purpose, appellant's wealth, and the size of the compensatory awards. 2 Ethical Analysis- 1. Statement of Facts: In 1972 Mrs. Lilly Gray was driving a Ford Pinto, with 13-year old passenger Robert Grimshaw, when it unexpectedly stalled in the middle of the highway. Mrs. Gray's Pinto was struck from behind by another vehicle. The other vehicle's impact caused the gas tank to puncture and rupture, spilling gas throughout the cabin of the vehicle.

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2.

Ethical Issue Statement: The ethical issue of this case was: " Was it ethical of Ford Motor Company to continue to mass produce and sell the Pinto with its known design defects of the gas tank? " and " Did Ford Motor Company have an ethical responsibility to inform the consumer of these design defects before the sale? " 3. Support For Ethical Issues: The court proved that Ford Motor Company knowingly continued with production of the Pinto, against the advice of Ford engineers, because of a known design defect of the gas tank in rear-collision crashes.

During crash tests it was proven that there were design defects with the gas tank, however, Ford found that when the gas tank was moved, a rubber bladder was put in the tank, or when a plate was placed between the tank and the rear bumper, it greatly reduced the threat of injury and gas tank design problems. Ford knew of these alternatives, but refused to change the design in order to save money, knowing that selling the Pinto with this gas tank defect could endanger the lives of others in a rear-end crash.

4. Ethical Alternatives: Ford Motor Company did not demonstrate " due care" in this case. The " due care" view holds that because consumers must depend on the greater expertise of the manufacturer, the manufacturer not only has a duty to deliver a product that lives up to the express and implied claims about it but also has a duty to exercise due care to prevent others

from being injured by the product even if the manufacturer explicitly disclaims such responsibility and the buyer agrees to the disclaimer.

3 Ford breached their moral duty to their customers by not exercising due care because they purposely hid design defects of the vehicle and then sold them to unknowing consumers. Consumers are vulnerable and dependent on the sellers of products and Ford took advantage of this fact and placed all consumers in harms way. Ford even went so far as to create a cost-analysis of correcting the design defect versus leaving the Pinto how they had originally planned. Ford chose to leave the design as originally planned instead of correcting it to make their vehicle safer for consumers.

5. Choosing an Ethical Option: I think the court made the correct ethical ruling in this case. By awarding the plaintiff punitive damages, this proved that Ford was responsible for the wrongful death action. Ford Motor Company had an ethical responsibility to their customers to provide them with a safe vehicle. If selling the safest vehicle was not possible, Ford should have then informed the customer of any known defects by providing warnings or warranties for the Pinto.

Ford acted unethically by hiding these defects throughout the production process and then by not acknowledging the problem in a court-of-law, which in turn resulted in hundreds of burn deaths because of this design defect. I would recommend that after this case was settled, that Ford Motor Company recall all Pinto's across the nation and fit them with rubber bladders for the inside of the gas tank along with inserting the metal or plastic plate between the bumper and the gas tank.

I think that Ford Motor Company should compensate everyone that has been injured or killed due to this known and hidden gas tank design defect. I would also recommend that Ford Motor Company takes the Pinto out of production for future years and creates a better and safer sub-compact vehicle.

Sources: Grimshaw and Gray v. Ford Motor Company: Case in Brief (1981). Retrieved November 10, 2008, from LexisNexis Web site: www.lexisnexis.com/dml/regis.edu/us/Inacademic/ Mallor, Jane P. , Barnes, Bowers, and Langvardt.

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